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Promotion and protection of the rights of children

Security Council
Fifty-fifth year

Letter dated 6 October 2000 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General

I have the pleasure of enclosing the Agenda for War-Affected Children, which was negotiated and adopted by the 130 Governments present at the International Conference on War-Affected Children, held at Winnipeg, Canada, from 10 to 17 September 2000.

In the past decade alone, wars have claimed the lives of over 2 million children, and have left another 5 million physically disabled. More than 10 million children continue to be traumatized by the violence they have witnessed or in which they have participated. During conflict and often in the post-conflict period, children lose access to basic social services such as health care and education. Many children end up as refugees or displaced. Others are forcibly recruited into armies, or join them voluntarily — there are currently about 300,000 child soldiers participating in conflicts around the world. Millions become orphans, and older children are left to look after their younger siblings. A disproportionate number of children, especially boys, are injured by landmines; girls run a risk of being sexually exploited. The Convention on the Rights of the Child, the Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, and other international instruments elaborate the rights and protections of war-affected children.

To make further progress on these commitments, Canada hosted the International Conference on War-Affected Children. Graça Machel, author of the seminal study entitled "The impact of armed conflict on children", was honorary chair of the event. Your personal support for the Winnipeg Conference and the instrumental roles played by your Special Representative for Children and Armed Conflict, Olara Otunnu, and the Executive Director of UNICEF, Carol Bellamy,

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were critical factors in the success of the meeting. The Agenda adopted at Winnipeg establishes the political framework to guide the efforts of the international community to ensure more effective implementation of the rights and protections of war-affected children.

For this reason, I should be grateful if you could circulate the text of this letter and the attached Agenda for War-Affected Children as a document of the General Assembly, under agenda items 42 and 110, and of the Security Council.

(*Signed*) Paul **Heinbecker**
Ambassador
Permanent Representative

Annex to the letter dated 6 October 2000 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General

The Agenda for War-Affected Children

(done at Winnipeg, Canada, 17 September 2000)

Societies have a moral obligation to put their children first, in times of peace and especially in times of war. Each child has the right to support and protection without distinction.

Conflict has the potential to forever change a child's aspirations and capabilities by subjecting him or her to horrific physical, psychological, sexual and societal violence. While children have widely differing needs, experiences, and challenges during and post-conflict, no child emerges unscarred and unaffected from situations where killings, indiscriminate bombings, recruitment, torture, rape, sexual exploitation, forced labour, abductions, sickness and malnutrition are a constant threat, and where education and nurture rarely exist. The international community must address this issue decisively, in accordance with the purposes and principles enshrined in the *Charter of the United Nations*. There is no circumstance in which it is justifiable to deliberately target children in situations of armed conflict.

The *Convention on the Rights of the Child* and other powerful regional and international legal instruments, including the 1951 *Convention relating to the Status of Refugees and its 1967 Protocol* and the *Geneva Conventions of 1949* and the *Additional Protocols thereto of 1977* have been put in place to protect the rights and welfare of all war-affected children. Notable recent advances include the *Optional Protocol on Involvement of Children in Armed Conflict, the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* and *ILO Convention No. 182 on the Worst Forms of Child Labour*.

What is needed now are concerted efforts to breathe life into the principles and obligations enshrined in these instruments through widespread ratification, effective implementation and international cooperation. The results of this Conference should provide building blocks for concrete initiatives for consideration at the United Nations General Assembly Special Session on Children in 2001.

It is time for states, institutions and individuals around the world to show leadership in word and in deed. The depth of our commitment *today* to immediate action with and on behalf of war-affected girls and boys will determine their *future* commitment to peace.

Our commitment to this Agenda at local, national, regional and international levels is a commitment to children. Let us make this century a peaceful one, in which the rights of the child are respected, protected and promoted everywhere.

1. **Call for Leadership:** Safeguarding children and protecting their rights in situations of armed conflict requires political, moral, economic, and social leadership. It also demands the courage to shape a new consensus regarding the treatment of war-affected children. Leaders at all levels and in every sector of society - government, the private sector, civil society, international and regional organizations - must rise to the challenge to fulfill their responsibilities to protect children. Leadership must also be fostered directly within girls and boys, their families and their communities, to build their will and capacity to resolve and prevent conflict.

2. **Fulfill Obligations:** All states and other parties to armed conflict must respect fully their obligations to children affected by conflict under international human rights and humanitarian law. States are invited to sign, ratify and subsequently implement the *Optional Protocols to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict* and *Sale of Children, Child Prostitution and Child Pornography*, and to consider or reconsider becoming parties to conventions and agreements related to the protection of children in armed conflict. Armed groups must also respect the child protection standards within international law regarding the rights and protection of children in armed conflict.

3. **Increase Accountability and End Impunity:** States should implement their international obligations to end impunity and to hold accountable perpetrators of violations of international human rights and humanitarian law. States should ensure that effective accountability mechanisms are in place at the national, regional and international level. In particular, we recognize the historical significance of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes committed against children, as defined in the *Rome Statute of the International Criminal Court* (art. 8), *inter alia* those involving sexual violence or child soldiers, and thus to the prevention of such crimes, and we encourage States to consider signing and ratifying the *Rome Statute*.

   The international community, through the media and other appropriate mechanisms, must mobilize international opinion and action against the abuses of children's rights during armed conflicts, and, bearing in mind states' primary responsibility, must ensure that those who violate children's rights in situations of armed conflict, or collude in such violations, are identified and brought to justice for their actions. An environment of accountability also demands a commitment to the monitoring, reporting and prosecution of genocide, war crimes, crimes against humanity and other egregious crimes perpetrated against children.

4. **End Targeting of Children:** The international community condemns the killing, maiming, torture, rape, sexual exploitation, abduction, forced labour and other violations of the rights of the child in pre-conflict, conflict and post-conflict situations, taking into account the particular vulnerabilities of girls. We also condemn the recruitment and use of children in armed conflict in violation of international law, attacks on protected places that usually have a significant presence of children, such as schools, hospitals and homes,

and the military use of these places. We must strengthen efforts to end all these practices. All peacekeeping missions should receive child-sensitive training and include child protection advisors or units to safeguard the rights of children. Whenever sanctions are imposed in the context of armed conflict, their impact on children should be assessed and monitored and, to the extent that there are humanitarian exemptions, they should be child-focussed and formulated with clear guidelines for their application.

5. **Release Abducted Children:** States, international and regional organizations, NGOs, community leaders, the private sector, families and youth must pressure parties to armed conflict, and those who fund and support them, to unconditionally release all abducted children into safe custody. We demand and are committed to ensuring that these girls and boys are returned, rehabilitated, (re)integrated and reunited with their families. We demand that those abducted children who have been involved in armed conflicts are also disarmed and demobilized.

6. **Strengthen Humanitarian Assistance and Guarantee Access:** Full, safe and unhindered humanitarian access and the delivery of humanitarian assistance in conformity with international humanitarian law to all children affected by armed conflict in all regions must be ensured regardless of sex, race, religion, ethnicity, nationality or political affiliation. Such humanitarian assistance must include the provision of basic social services, in particular, food, nutrition, health and education, during and post-conflict.

7. **Focus on Prevention:** States, international and regional organizations, NGOs, community leaders, the private sector, families and youth must address, in concrete terms, the root causes of conflict, including inequity, poverty, racism, ineffective governance and impunity, which lead to the denial of children's economic, social, cultural, civil and political rights. We commit to practical and comprehensive conflict prevention measures, including conflict prevention initiatives, mediation, child protection networks, early warning and response systems, alternatives for adolescents at risk, and the promotion of conflict resolution skills and education.

8. **Suffocate the Supply of Arms:** States commit to addressing the impact of small arms and light weapons on war-affected children. We recognize that the illicit trade in natural resources and illegal drugs, and the illicit production and trafficking of small arms and light weapons have devastating effects on children. States and the private sector must also ensure that funds and facilities are not used by armed groups which target children for participation in armed conflict.

9. **Promote Health and Well-being:** Initiatives designed to help war-affected children must be developed to address all the needs of the child - mind, body and spirit. These initiatives must take into account the widely differing needs, experiences and challenges faced by girls and boys, adolescents and younger children, refugee and internally displaced children, child soldiers and orphans, children from different religious and ethnic backgrounds and children with disabilities. All children, particularly girls, must be protected from rape and other forms of sexual and gender-based violence in situations of armed conflict. The international community must work with families, local

communities, governments, civil society, including NGOs, and relevant international organizations to improve access to basic health and psycho-social rehabilitative services for girls and boys during and post-conflict. Health risks to children must also be reduced and eliminated, including malnutrition and preventable diseases.

10. **Protect Children from HIV/AIDS:** The international community must pay particular attention to the impact of the HIV/AIDS pandemic on war-affected children and intensify efforts against its spread, including awareness and training.

11. **Educate and Equip for Peace:** States, international and regional organizations, NGOs and community leaders must ensure that access to education is rapidly restored, supported and strengthened during and post-conflict. Specific educational initiatives should be taken in order to empower young people to relate peaceably with one another and end violence in families and communities. Additional opportunities, such as vocational training and recreation, should also be supported to promote children's healing and well-being.

    The provisions of human rights and humanitarian law protecting children must be made widely known, in particular, through training programs for military personnel, humanitarian aid workers, peacekeepers and young people.

12. **Concerted Action over the Long-term:** The physical and psychological effects of war can debilitate the growing minds and bodies of children for many years. The international community, especially states, must coordinate long-term efforts, for war-affected girls and boys, their families and their communities, to ensure their support and protection during and post-conflict. In particular, the international community should actively support endeavours to address the devastating impact of landmines on children, through de-mining, rehabilitation of mine-affected children and landmine awareness programs. Development cooperation must be sustained, consistent and effective to support children's long-term needs for rehabilitation and (re)integration.

13. **Engage Youth:** War-affected children, particularly adolescents, should be involved in peace processes and in developing policy and programming for their own rehabilitation, (re)integration and education, as well as in the development of their communities. We must also support the creation of networks between these war-affected children and other concerned youth.

14. **Promote Better Research to Inform Our Action:** We commit to improving the quality of our research, monitoring and evaluation, giving greater emphasis to data disaggregated based on sex, age, ethnicity and region, and to disseminating the results of this work more widely.

Appendix

This Agenda for Action draws on many sub-regional, regional and international principles, obligations, resolutions and other related documents which have bearing on children and their families. They include the following:

Charter of the United Nations (1945)
Geneva Conventions (1949)
Convention relating to the Status of Refugees (1951)
Protocol relating to the Status of Refugees (1967)
Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)
Additional Protocols to the Geneva Conventions (1977)
Convention on the Rights of the Child (1989)
African Charter on the Rights and Welfare of the Child (1990)
General Assembly Resolution 46/182 on Humanitarian Assistance (1991)
Organization of African Unity Resolution on the Plight of African Children in Situations of Armed Conflicts (1996)
Graça Machel Study on the Impact of Armed Conflict on Children (1996)
Capetown Principles and Best Practices (1997)
Red Cross/Red Crescent Plan of Action Concerning Children in Armed Conflict (1997)
Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (1997)
Rome Statute of the International Criminal Court (1998)
European Parliament Resolution B4-1078 on Child Soldiers (1998)
General Assembly Resolution 53/25 on the International Decade for a Culture of Peace and Non-violence for the Children of the World (2000-2010) (1998)
Security Council Resolution 1261 on Children and Armed Conflict (1999)
Security Council Resolution 1265 on the Protection of Civilians in Armed Conflict (1999)
ILO Convention No. 182 on the Worst Forms of Child Labour (1999)
Maputo Declaration on the Use of Children as Soldiers (1999)
Montevideo Declaration on the Use of Children as Soldiers (1999)
Berlin Declaration on the Use of Children as Soldiers (1999)
OSCE Istanbul Summit Declaration (1999)
OSCE Charter for European Security (1999)
Declaration by Nordic Foreign Ministers Against the Use of Child Soldiers (1999)
Final Communique of Commonwealth Heads of Government Meeting (1999)
Moncton Declaration and Action Plan from the 8th Francophonie Summit (1999)
Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict (2000)
Security Council Resolution 1296 on the Protection of Civilians (2000)
Accra Declaration on War-Affected Children (2000)
Report on the OSCE Human Dimension Seminar on Children and Armed Conflict (2000)
OAS Resolution on Children and Armed Conflicts (2000)
Windhoek Declaration and Namibia Plan of Action on Gender Mainstreaming in Multidimensional Peace Support Operations (2000)
Security Council Resolution 1296 on the Protection of Civilians in Armed Conflict (2000)
Security Council Resolution 1314 on Children and Armed Conflict (2000)